

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

DERECK BOTTOMS,)	
)	
Plaintiff,)	Case No.: 4:12-cv-00048
)	
v.)	<u>ORDER</u>
)	
CAROLYN W. COLVIN,)	By: Hon. Jackson L. Kiser
Acting Commissioner of Social Security,)	Senior United States District Judge
)	
Defendant.)	

Before me is the *Report and Recommendation* of the United States Magistrate Judge recommending an Order be entered DENYING the Commissioner's Motion for Summary Judgment, GRANTING, in part, the plaintiff's Motion for Summary Judgment, and REMANDING this case to the Commissioner for further proceedings [ECF No. 22]. This *Report* was filed on September 16, 2013, from which date the parties had fourteen (14) days to file objections. No objections were filed. Accordingly, it is this day **ADJUDGED** and **ORDERED** that the *Report and Recommendation* shall be, and hereby is, **ADOPTED** in its entirety. The Commissioner's Motion for Summary Judgment is **DENIED**, Plaintiff's Motion for Summary Judgment is **GRANTED IN PART** and **DENIED IN PART**, and the case is hereby **REMANDED** to the Commissioner for further proceedings. The case is hereby **DISMISSED** from the Court's active docket.

The Clerk is directed to send a copy of this Order to all counsel of record as well as to Magistrate Judge Crigler.

ENTERED this 7th day of October, 2013.

s/Jackson L. Kiser
SENIOR UNITED STATES DISTRICT JUDGE

